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July 12, 2019

Honorable Ramon E. Reyes, Jr., U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Augustin v. American Airlines, Inc.*
Civil Docket No. 1:18-cv-01484-LDH-RER

Dear Judge Reyes:

We represent Plaintiff Emmanuel Augustin on behalf of his incapacitated mother, Marie Odette Oriental, in an ongoing personal injury action against Defendant American Airlines, Inc., represented by David S. Rutherford and L. Diana Mulderig of Rutherford & Christie LLP.

We write today to request a brief adjournment of the current discovery deadlines in this matter. On June 11, 2019, the parties participated in a telephone conference with Your Honor in order to set a new discovery schedule. We agreed that fact witnesses must be deposed by July 19, 2019; Plaintiff must designate experts and produce expert reports by August 2, 2019; Defendant must designate experts and produce expert reports by September 20, 2019; and all expert depositions must be completed by October 11, 2019.

Plaintiff was deposed in compliance with the Court's Order on July 1, 2019. However, despite raising the issue with Mr. Rutherford and Ms. Mulderig no less than five times – via email, by telephone, and in person at Mr. Augustin's deposition – we have been unable to confirm the availability of Defendant's three fact witnesses. With the fact witness deposition deadline now just one week away, Plaintiff must request a 45-day adjournment of the current July 19, 2019 deadline to September 2, 2019.

Additionally, Plaintiff must request a 60-day extension of Plaintiff's deadline to designate experts and disclose expert reports. Since the June 11, 2019 conference, we have interviewed three potential liability experts and three potential damages experts. Though all were willing to evaluate the facts of Plaintiff's case and offer an opinion, each one declined to write a report without first evaluating the testimony of Defendant's fact witnesses. Accordingly, we are compelled to request an adjournment of Plaintiff's current expert disclosure deadline from August 2, 2019 to October 2, 2019, to permit sufficient time for Defendant's depositions to be held, our court reporter to prepare the transcripts, and our experts to review the transcripts before drafting their reports.

California Office

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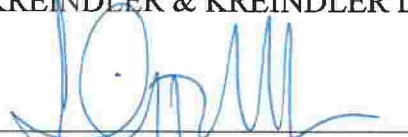
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In consideration of the foregoing, Plaintiff must also request an adjournment of the deadline for Defendant to designate expert witnesses and serve expert reports from September 20, 2019 to November 2, 2019, and an adjournment of the deadline for all parties to complete expert depositions from October 11, 2019 to December 2, 2019.

We have discussed the instant petition with Mr. Rutherford and he does not object to Plaintiff's requests. We thank the Court for its time and attention to this matter.

Very truly yours,
KREINDLER & KREINDLER LLP


By: Erin R. Applebaum

cc: RUTHERFORD & CHRISTIE LLP
David S. Rutherford – *via ECF*
L. Diana Mulderig – *via ECF*